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REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

I. INTRODUCTION

1. The present report is submitted in pursuance of resolution 1096 (1997) of 30 January 1997, in which the Security Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) for a new period, terminating on 31 July 1997, and requested me to continue to keep the Council regularly informed and to report after three months from the date of the adoption of the resolution on the situation in Abkhazia, Georgia, including on the operations of UNOMIG, and to provide recommendations in that report on the nature of the United Nations presence. The present report provides an update of the situation as at mid-April 1997.

II. POLITICAL ASPECTS

2. The absence of progress in the settlement of the Georgian/Abkhaz conflict, including the problem of the refugees and internally displaced persons, has created widespread dissatisfaction among the Georgian population and the country's leadership is being increasingly urged to take decisive action to resolve the conflict. This mood was clearly conveyed to me by the Chairman of the Parliament of Georgia, Mr. Zurab Zhvania, with whom I met on 13 March 1997 in New York. From 2 to 21 March, 10 deputies of the "Abkhazeti" faction in the Georgian Parliament staged a hunger strike in Tbilisi, demanding the withdrawal of the peacekeeping force of the Commonwealth of Independent States (CIS) from Abkhazia and South Ossetia.

3. The serious economic and social problems in Abkhazia have been exacerbated by the region's isolation from the international community. In particular, the decision on measures to settle the conflict in Abkhazia, Georgia, adopted by the Council of Heads of State of CIS on 19 January 1996 (see A/51/62-S/1996/74, annex IV), has created additional hardship. This situation has generated frustration among the population and has increased pressure on the leadership to solve these problems.

4. Bilateral contacts between the two sides have continued. There have been several contacts by telephone between the President of Georgia, Mr. Eduard Shevardnadze, and the Abkhaz leader, Mr. Vladislav Ardzinba, who have agreed to establish a joint/bilateral commission chaired by senior representatives from both sides. Bilateral contacts at the working level have also taken place, most notably a meeting in early March in the Gali region between senior officials responsible for energy problems. Issues addressed during that meeting included the Hydroelectric Power Station at Inguri-GES.

5. In addition to bilateral contacts, consultations with the two sides were conducted by the Russian Federation in early February to spell out the goals of the negotiations and to decide on the machinery for the comprehensive settlement of the conflict. The talks focused on the draft text of a declaration, proposed by the Russian Federation, on the principles for a settlement and confidence-building measures between the parties to the Georgian/Abkhaz conflict.

6. In mid-February, the Ministries of Communication of Georgia and the Russian Federation signed an agreement on communications systems according to which all external telephone communications to and from Sukhumi should be routed through Tbilisi, instead of through the territory of the Russian Federation. The agreement has been protested against by the Abkhaz leadership, which has threatened to end all contacts with the Georgian side if the status quo ante is not restored.

7. At the meeting of the Council of Heads of State of CIS, held in Moscow on 28 March, it was decided that States members should endeavour to reach, as soon as possible, a comprehensive political settlement of the conflict in Abkhazia, Georgia, and an agreement on the return of refugees and displaced persons to their homes. The meeting also called for the implementation and monitoring of the decision on the conflict adopted on 19 January 1996 and gave full support for the sovereignty and territorial integrity of Georgia within its internationally recognized borders (see S/1997/268, annex II).

8. During the reporting period, representatives of a number of European organizations visited Georgia, including Abkhazia. In mid-March, the Vice-President of the Parliamentary Assembly of the Organization for Security and Cooperation in Europe (OSCE) and Special Rapporteur on the situation in Abkhazia, Mr. Wojciech Lamentowicz, visited Tbilisi and Sukhumi. In late March, a delegation of the Committee on Relations with European Non-Member Countries of the Parliamentary Assembly of the Council of Europe visited Georgia. Also in late March, a delegation of the European Union (EU) visited Inguri-GES to review the assistance required to rehabilitate the dam and the hydroelectric power station.

9. A number of non-governmental organizations and research institutions in Austria, the Russian Federation and the United States of America, among others, have brought together Georgian and Abkhaz individuals to discuss problems of common interest, with a view to facilitating progress towards the political settlement of the conflict.

10. Throughout the reporting period, the members of the group of Friends of the Secretary-General on Georgia maintained contact collectively and individually

with the parties to the conflict and with my representatives at Headquarters and in the field. The Governments concerned have indicated their willingness to support renewed United Nations efforts in the peace process.

11. As set out in my previous report (S/1997/47), I have started to explore possible ways to revive the role of the United Nations in the Georgian/Abkhaz peace process. To this effect, I had consultations with my Special Envoy, Ambassador Edouard Brunner, as well as with his Deputy, Mr. Liviu Bota, in New York on 13 March and 2 April, respectively. I have also pursued the question of modalities of cooperation between the United Nations and the Russian Federation, in its capacity as facilitator in the Georgian/Abkhaz peace process. In this context, Ambassador-at-large Lev Mironov of the Russian Federation visited Headquarters on 7 and 8 April for consultations.

III. HUMANITARIAN SITUATION AND HUMAN RIGHTS

12. The humanitarian situation in Abkhazia, Georgia, continues to be difficult. United Nations agencies and non-governmental organizations such as the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the United Nations Volunteers programme, the International Committee of the Red Cross (ICRC), Action contre la faim and Médecins sans frontières, are implementing humanitarian programmes in Abkhazia and in other parts of Georgia. The Department of Humanitarian Affairs coordinates their activities in the region through its office in Sukhumi. These organizations and agencies have continued their efforts to address the most pressing needs of the population of Abkhazia and have been providing food and medicine to the most vulnerable sectors of the population. In addition, they are engaged in activities such as emergency repair of houses and distribution of agricultural products. They have also undertaken confidence-building measures by bringing together non-governmental organizations from Tbilisi and Sukhumi.

13. Mines continue to prevent humanitarian organizations from operating freely in the Gali sector and to threaten civilian activities in the Gumista River area, north of Sukhumi, and parts of the Kodori Valley. The spontaneous return of internally displaced persons to the Gali sector that took place in 1995 and parts of 1996 has subsided, except for some villages in the south-western part of the sector where UNHCR has recently started to provide agricultural assistance. In addition, aid agencies are pursuing their contingency planning in order to support the return of refugees and displaced persons once the process resumes (see S/1997/47, para. 14).

14. Humanitarian agencies require additional voluntary contributions to continue their activities. In the Zugdidi area, funding for certain humanitarian aid programmes ended on 1 April and, as a result, non-governmental organizations ceased the distribution of food and medicine in the area. However, these organizations will maintain offices in Zugdidi in order to continue other relief programmes.

15. The recently established United Nations office for the protection and promotion of human rights in Abkhazia has begun its work and the Abkhaz authorities have shown readiness to work with it. The establishment of the

office has already produced some promising results, as reflected in the creation of a grass-roots organization for human rights and democracy in Abkhazia and in the establishment by the Abkhaz leader, Mr. Ardzinba, of a human rights commission within his administration to cooperate with the United Nations office.

16. In the initial phase, the head of the office, Ms. Elisabeth Stam, established contacts with representatives of the Government of Georgia and the Abkhaz authorities and with organizations concerned with human rights issues, including civic education. Translation into the Abkhaz language of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights has been initiated. In addition, a basic but systematic monitoring of human rights violations has commenced, which focuses on compliance by the Abkhaz authorities with international human rights standards.

17. The United Nations and OSCE continue to hold consultations on the modalities of their cooperation regarding the human rights office.

IV. OPERATIONS OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA

18. During the reporting period, UNOMIG continued to operate in the security and restricted weapons zones of the Zugdidi sector and in the Kodori Valley. With regard to the Gali sector, the arrival of mine-protected and other vehicles and the resumption of resurfacing of those parts of the main roads which are judged to be especially vulnerable to mine-laying (see S/1997/47, para. 31) have restored the Mission's ability to patrol the sector and enabled it to reopen team bases in Zemo-Bargevi and Inguri-GES without unduly risking the lives of the military observers. Accordingly, the Mission now has three team bases in the Gali sector - at Zemo-Bargevi, Inguri-GES and Gali town. Patrols from those bases have established contacts with village mayors and other inhabitants so as to assist UNOMIG and the various United Nations agencies and non-governmental organizations operating in the area in their work. It is the Chief Military Observer's assessment that UNOMIG is now implementing its mandate satisfactorily and will be able to implement it fully and under sufficiently secure conditions once mine-detection vehicles and related engineering support are deployed (see S/1996/507, para. 38). As Council members are aware (see S/1997/291 and 292), the Chief Military Observer, Major-General Per Källström (Sweden), is scheduled to complete his assignment on 30 April 1997. His successor, Major-General Harun-Ar-Rashid (Bangladesh), will assume his duties the following day.

19. One hundred and twenty-one military observers are currently deployed in the mission area (see annex). In this regard, it will be recalled that, in anticipation of the arrival of some 20 engineering support personnel who will undertake mine-detection and clearing, the Mission had planned gradually to reduce the number of its military observers to 116 (see S/1997/47, para. 16). However, following a thorough review of operational requirements and bearing in mind the remaining limitations on UNOMIG patrolling, the Chief Military Observer has advised me that a total of 106 observers should be sufficient to enable UNOMIG to carry out the tasks entrusted to it under resolution 937 (1994) of

21 July 1994. This number, together with the 20 engineers whose presence continues to be necessitated by the mine problem, would thus bring the strength of the Mission to 126.

20. The Kodori Valley team base at Azhara, which was closed for the winter on 29 November 1996 (ibid., para. 18), should be reopened shortly. However, reopening will have to wait until a section of the road leading to the team base, which was rendered impassable by a landslide, is cleared and reopened to traffic. In the meantime, UNOMIG has been meeting with the CIS peacekeeping force and the Abkhaz army at their checkpoints in the lower Kodori Valley. Meetings have also been arranged on occasion with representatives of the Svanetian community.

21. As mentioned in my previous report (see S/1997/47, para. 19), representatives of the police, militia and security services from both sides are now included in the weekly quadripartite meetings chaired by the Commander of the CIS peacekeeping force and attended by the Chief Military Observer and the local representatives of the Georgian and Abkhaz administrations. Although these meetings continued to enable the parties to discuss security and humanitarian issues, they were suspended for two weeks in February by the Abkhaz side to press for the release of two of their soldiers abducted in the restricted weapons zone on 14 November 1996 (ibid., para. 24). The meetings resumed subsequently after the soldiers were returned. The weekly police meeting, which enables the head of the Gali militia and the Chief of the Zugdidi police to discuss security matters and exchange information (ibid., para. 19), remains suspended owing to the absence of representatives from the Abkhaz militia.

22. UNOMIG continues to cooperate with United Nations agencies and non-governmental organizations working on both sides of the Inguri River. The Mission's medical teams have again provided first aid to CIS peacekeeping force personnel and members of the local population and have assisted with medical evacuations.

V. SITUATION ON THE GROUND

A. General

23. The situation in the Gali restricted weapons zone and, in particular, the security zone, remains unsettled and tense. Acts of violence, including common crime, continued during the reporting period and even increased during the first weeks of April. The most serious such incident was the direct targeting of the CIS peacekeeping force by unknown persons, resulting in the tragic death of three members of the force. In addition, 10 members of the force were injured in four separate incidents in which the force itself appeared to be the primary target.

24. Stability in the security and restricted weapons zones of the Gali sector was severely affected by a rise in the crime rate during the winter period - reportedly the coldest in many years - which saw numerous acts of looting and armed robbery. Instability was exacerbated during the period by the continuing

inability of the Abkhaz militia to maintain law and order in the region despite a recent increase in its strength. Another contributing factor was the reaction of the CIS peacekeeping force to direct targeting, which prompted it to cease active patrolling from its checkpoints for two weeks. Patrolling has since resumed, although in a limited fashion.

25. In spite of vigorous efforts to increase the safety of the Mission's staff, including arrangements with the CIS peacekeeping force, systematic patrolling in groups of two vehicles and round-the-clock protection of the Mission's installations and assets, UNOMIG personnel and property were the victims of acts of robbery and theft on seven occasions during the reporting period on both sides of the Inguri River. The most serious incidents occurred on 12 February, when a local security guard employed by UNOMIG was beaten and robbed while on duty in Pitsunda and, on 13 February, when a UNOMIG vehicle was stopped and robbed at gunpoint by masked men on the M-27 road. Additionally, UNOMIG vehicles were broken into on three separate occasions and various pieces of equipment were stolen.

B. Security and restricted weapons zones

26. Several murders, attacks and looting incidents were reported in the security and restricted weapons zones during the period under review. The most serious incident was a mine attack on 22 February against an armoured personnel carrier of the CIS peacekeeping force, which was disabled by the explosion. A reinforced radio-controlled mine subsequently destroyed an ambulance travelling with two armoured personnel carriers of the CIS force, killing three medical personnel of the force. UNOMIG protested against this action to the authorities on both sides and demanded the cessation of all terrorist activities. The action was also condemned by the representatives of the Friends of the Secretary-General on Georgia in Tbilisi and by the Security Council. In another incident, on 23 March, two individuals were killed while placing a reinforced mine on a main road in the restricted weapons zone of the Gali sector. The equipment used by the mine-layers and their modus operandi indicate that they were highly professional and probably part of a well-organized group.

27. Both sides have generally complied with the Agreement on a Ceasefire and Separation of Forces, signed in Moscow on 14 May 1994 (S/1994/583 and Corr.1, annex I), the relatively high number of violations notwithstanding. Since my last report, UNOMIG has reported 11 violations of the Agreement by the Abkhaz side and 56 by the Georgian side. Most of these were minor.

C. Kodori Valley

28. The situation in the Kodori Valley reportedly remained calm throughout the period covered by the present report, during which the UNOMIG team base was closed. The Georgian police are still present in the upper part of the valley, which obviously contributes to the improved situation. UNOMIG has continued to conduct periodic meetings with Svanetian representatives. The Mission's relations with the local representatives are excellent.

D. The mine problem

29. Mines continue to be a most serious problem in the Gali security and restricted weapons zones. No further incidents of indiscriminate use of mines on the M-27 road have been reported, but UNOMIG military observers continue to limit their movement and to wear protective clothing when transiting through the Gali sector.

30. The death of three members of the CIS peacekeeping force on 22 February has had a significant effect on the operations of the force. As mentioned above, some patrolling was suspended in February and March, leaving the region open to the activities of armed groups and common criminals. As a result, the threat of violence in the Gali sector remains high. A total of 10 mine explosions in seven separate incidents were reported during the period; on two occasions, reinforced multiple mines were used as one device.

31. Although UNOMIG has sometimes been targeted by bandits and common criminals, there is no indication that its personnel or equipment are the target of other armed groups operating in the area. On the other hand, there is little doubt that CIS peacekeeping force personnel, the Abkhaz militia and some local inhabitants have been targeted by the mine-layers.

32. Members of the Council will recall that, while awaiting a reply from a Government regarding the provision of mine-detection vehicles and support personnel, UNOMIG had developed an interim concept of operations that entailed the deployment of helicopter support. As described above (see para. 18), the problems faced by UNOMIG in the mission area are no longer as serious as they were. Resurfacing of the main roads, which was delayed significantly by the severe winter weather, has now resumed and mine-protected vehicles, along with other means of patrolling, have been deployed with success in the Gali sector. In addition, discussions with the Government, which has been asked to provide mine-detection vehicles, have been progressing. In view of that situation, it has been decided not to pursue the helicopter option.

VI. COOPERATION BETWEEN THE UNITED NATIONS OBSERVER MISSION IN GEORGIA AND THE COLLECTIVE PEACEKEEPING FORCES OF THE COMMONWEALTH OF INDEPENDENT STATES

33. In accordance with its mandate, UNOMIG continues to observe the activities of the CIS peacekeeping force and to cooperate with it. Cooperation on the ground continued as described in my previous report (S/1997/47, para. 35). Cooperation between the two commanding officers has also been very good and has further improved mutual assistance and the sharing of information. This cooperation has had a positive effect on relations at the lower level.

34. At its meeting in Moscow on 28 March 1997, the Council of Heads of State of CIS decided to extend the mandate of the peacekeeping force until 31 July 1997 or until one of the parties to the conflict expressed its wish to terminate the operation. The Council further decided, with a view to the further expansion of the peacekeeping operation, the fullest implementation of the tasks arising from the mandate of the Collective Peacekeeping Forces and the additional provisions

to it, to consider it necessary to expand the security zone as provided for in the 14 May 1994 Agreement. In that regard, the Council instructed the command of the CIS peacekeeping force, "in cooperation with the parties, to prepare, within one month, a plan for redeploying the CIS peacekeeping force and other measures relating to the organized return of refugees and displaced persons to the Gali district" (see S/1997/268, annex I). The Chief Military Observer has advised me that the changes mentioned above do not affect the mandate of UNOMIG or its concept of operations.

VII. SOCIAL AND ECONOMIC ASPECTS

35. The Government of Georgia continues to ensure coordination of donor activities with the assistance of various United Nations and other agencies and organizations. Statistical data confirm that Georgia has been successful in implementing its economic recovery programme. In 1996, inflation was reduced to 13.4 per cent and the National Bank's hard currency reserves were equal to two and a half months of the country's import needs. The national currency - the lari - continued to be stable and the country's gross domestic product increased by 11 per cent. However, Georgia continues to experience problems in the social sector, particularly in health and education. In view of the damaged economic environment, donor assistance has now shifted towards reconstruction and development, with pockets of humanitarian assistance in areas affected by conflict and in favour of internally displaced persons. The United Nations Development Programme (UNDP) is advising the Government on policy and financial assistance for capacity-building in the economic and social sectors. The United Nations operational activities for development are coordinated by the UNDP Resident Coordinator.

VIII. OBSERVATIONS

36. Both parties to the conflict seem determined to continue their direct contacts and to broaden their bilateral relations. There is no better recipe for progress. It will also make it less likely that either side would seek again to resort to force to settle their respective grievances. I appeal to both sides to pursue, in this spirit, the current discussions over the implementation of the decisions of 28 March 1997 adopted by the CIS Council of Heads of State.

37. In consultations with the Russian Federation (see para. 11 above), reference was made to the support expressed by the Security Council for the Secretary-General's efforts towards a comprehensive settlement of the Georgian/Abkhaz conflict, with the assistance of the Russian Federation as facilitator.

38. The Russian Federation supports a strengthened United Nations involvement in the political process and agrees that future peacemaking efforts will be guided by a better exchange of information and improved coordination. The Russian Federation also favours the active involvement of the United Nations in social and economic areas, possibly through expert group meetings and

revitalizing the Coordinating Commission established in May 1994 (see S/1994/529, annex III).

39. In response to the increased demands arising from a strengthened United Nations involvement in the peacemaking process, I plan to appoint, as a successor to my current Special Envoy for Georgia, a resident Special Representative who will be based in Tbilisi and Sukhumi. I intend to convene a meeting with both sides at an appropriate location to map out the areas where concrete political progress can be made. In the meantime, I am instructing my Deputy Special Envoy, Mr. Bota, to consult the Russian authorities further on the proposal to revitalize the Coordinating Commission, which could serve as the umbrella for the establishment of expert groups on energy, transportation and communications. It is also my intention to strengthen the political element of UNOMIG, by deploying, throughout the mission area, a few additional officers specialized in political, civil and legal affairs. These adjustments will be made within the budgeted resources for the current financial year.

40. As reflected in the present report, mine-laying in the Gali sector has not abated, nor is there any indication that the situation in this regard is likely to improve in the near future. In view of this situation, I intend to continue to make every effort to build upon the positive results recently achieved with the arrival of the mine-protected vehicles and the resurfacing of the main roads in order to improve the safety of the military observers and the operational effectiveness of UNOMIG. The deployment of the mine-detection equipment and support personnel should contribute substantially to that end. However, I do not wish to conceal from the Council that, as in many other peacekeeping operations, the situation in the UNOMIG area continues to be dangerous and risks for the observers cannot be totally ruled out.

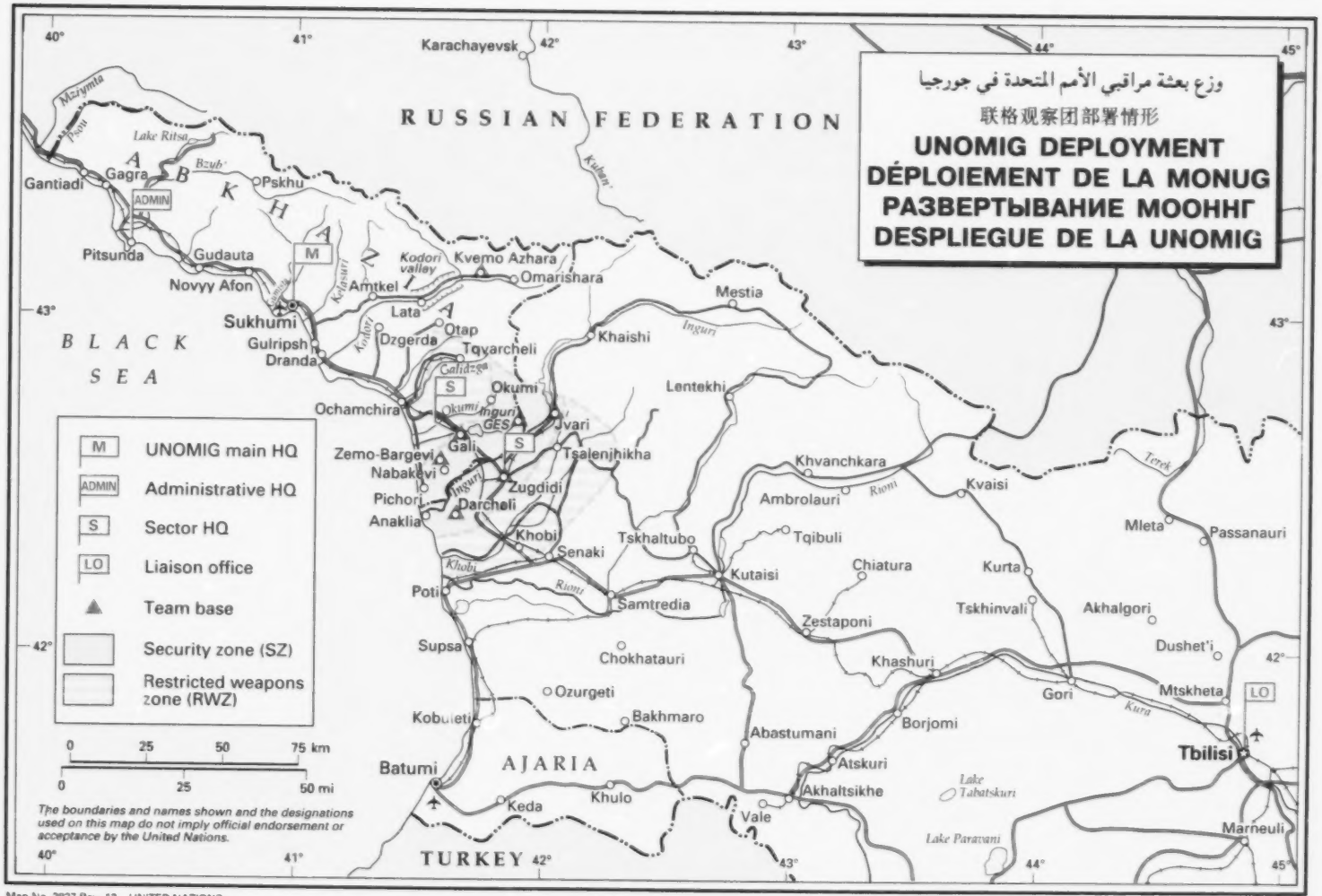
41. In conclusion, I should like to thank my Special Envoy, Ambassador Edouard Brunner, his Deputy and Head of Mission of UNOMIG, Mr. Liviu Bota, the Chief Military Observer, Major-General Per Källström, as well as the military and civilian personnel under their command, for their continued dedication and perseverance in carrying out, under difficult conditions, the tasks entrusted to them by the Security Council.

Annex

Composition of the United Nations Observer Mission in Georgia as at 8 April 1997

Country	Military observers
Albania	1
Austria	4
Bangladesh	9
Cuba	4
Czech Republic	4
Denmark	4
Egypt	5
France	6
Germany	10
Greece	4
Hungary	5
Indonesia	5
Jordan	7
Pakistan	7
Poland	4
Republic of Korea	5
Russian Federation	3
Sweden	8
Switzerland	5
Turkey	5
United Kingdom of Great Britain and Northern Ireland	8
United States of America	4
Uruguay	4
Total	121[a]

[a] The number of military observers may vary owing to rotations.



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LETTER DATED 25 APRIL 1997 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to submit to you herewith a copy of the Agreement of the Joint Working Group on the Operational Procedures of Return, which provides for the Guiding Principles and specific mechanisms for a programme of return of Croatian citizens to their homes throughout Croatia that is voluntary, dignified and safe (see annex).

The Joint Working Group on Returns is composed of representatives from the Government of Croatia, the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and the Office of the United Nations High Commissioner for Refugees (UNHCR).

The Agreement was ratified by the Government yesterday.

May I ask for your kind assistance in distributing the present letter and its annex as a document of the Security Council.

(Signed) Ivan ŠIMONOVIĆ
Ambassador
Permanent Representative

97-11349 (E) 290497 300497

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Annex

Agreement of the Joint Working Group on the Operational Procedures of Return

BASIS OF THE WORKING GROUP

The Joint Working Group on Returns, composed of representatives of the Government of Croatia, UNTAES, and UNHCR was established pursuant to a decision of the Government of Croatia on 27 March following an agreement reached during the 21 March meeting of H.E. President Franjo Tudjman, UN Transitional Administrator Jacques Paul Klein, and UN High Commissioner Sadako Ogata and working level meetings on 13 and 14 March, 27 March, and 3 April.

THE WORKING GROUP MEMBERS ARE:

Croatian Government: Mr. Stjepan Sterc, Deputy Minister for Development and Reconstruction, Head of Delegation; Mr. Lovre Pejkovic, Head of the Office for Displaced Persons and Refugees; Mr. Neven Henigsberg, Office of the Deputy Prime Minister; Ms. Danica Damjanovic, Assistant to the Minister of Justice.

UNTAES: Mr. Gerard Fischer, Head of Civil Affairs, Head of Delegation; Mr. Goran Stigmer, Head of Civil Affairs Displaced Persons Task Force; Ms. Piper Campbell, Personal Assistant to the Head of Civil Affairs; Mr. Richard Holtzapple, Political Affairs.

UNHCR: Mr. Pierre Jambor, Chief of Mission, Croatia, Head of Delegation; Mr. Serge Ducasse, Deputy Chief of Mission, Croatia; Mr. Eduardo Arboleda, Chief of Operation, Slavonia; Mr. James Lynch, Head of Office Osijek; Mr. Indrika Ratwatte, Protection Officer, Zagreb.

GUIDING PRINCIPLES

The Working Group will establish the mechanisms to register and process all requests for return into and out of the Croatian Danube region; disseminate information on the return process; ensure proper operations; develop further mechanisms to address returnee issues, as necessary; and respond to issues arising from the return process which cannot be solved at lower levels.

The Government of Croatia shall provide equal access and equal treatment for safe return, reconstruction, and the other mechanisms specified below for all Croatian citizens who in 1991 resided in the Croatian Danube Region (herein after, the Region) or who are currently living there.

Until conditions are created, through the mechanisms described in this agreement, for Croatian citizens to move from the houses they are currently occupying, they may remain in such houses.

Additionally, the Government of Croatia will, with the cooperation of the international community, organize an agency for mediation in selling or exchanging property for legal owners who do not want to inhabit their property any more. The 'Land Bank' concept will be developed more fully by the aforementioned Working Group.

The Government of Croatia, UNTAES, and UNHCR will seek international funding for the implementation of the described mechanisms, as they are established.

MECHANISMS FOR THE RETURN OF CROATIAN CITIZENS TO THEIR HOMES

All Croatian citizens, with identification cards, displaced from their homes who want to return to their homes should register with the Office of Displaced Persons and Refugees (ODPR) as a first step in the return mechanism. ODPR will collect all necessary information on the forms agreed to by the Working Group. ODPR will submit to the Working Group on a weekly basis a report containing statistics and dates for: return requests received, "CONFIRMATIONS ON ARRANGEMENTS FOR RETURN" issued, and returns successfully completed. ODPR records of registration will be available to all members of the Working Group, upon request. For those who register with ODPR, depending on the condition of the potential returnee's property, the following procedures will apply:

FAMILY REUNION (to original family home):

1. ODPR will immediately contact the ODPR office in the area of return in order to verify the information provided by the potential returnee, and simultaneously will confirm with the Ministries of Justice and Interior that there are no outstanding charges against the individual.
2. ODPR will then issue a "CONFIRMATION ON ARRANGEMENTS FOR RETURN" to the potential returnee, with copies to: the Ministry of Interior (which will forward the information to the local police station), the Working Group members, and the municipal authorities.
3. ODPR will agree with the returnee on the modalities/logistics of return.
4. ODPR, assisted by UNTAES and UNHCR, will organize the return. Upon return, the individual will have legal status as a "returnee."

TRANSITIONAL MEASURES: Until the Joint Working Group agrees that ODPR and other relevant Croatian authorities are in a position to undertake all of the mechanisms described above for returns into the Region, the following procedures will apply:

1. ODPR will verify that the request for return is to an original family home in the Region.
2. ODPR will contact UNTAES (DP Task Force) which will verify the information provided by the potential returnee.
3. UNTAES will inform ODPR of the housing status, and notify the Transitional Police Force (TPF) and municipal authorities.
4. ODPR will issue a "CONFIRMATION ON ARRANGEMENTS FOR RETURN" to the potential returnee.
5. ODPR will agree with the returnee on the modalities/logistics of return.
6. ODPR, assisted by UNTAES and UNHCR, will organize the return. Upon return, the individual will have legal status as a "returnee".

In principle, the CONFIRMATION ON ARRANGEMENTS FOR RETURN will be issued within 15 calendar days of registration with ODPR, or ODPR notification of UNTAES (for returns into the Region). The return should take place as soon as possible thereafter. Where the CONFIRMATION cannot be issued within this timeframe, the Working Group will be informed so that alternative measures can be considered. When a home is vacated under these mechanisms, the responsible party (Government of Croatia or UNTAES) will ensure that the house is not then occupied by an individual other than the legal owner.

VACANT INHABITABLE HOMES

1. ODPR will forward the requests for return daily to the Ministry of Development and Reconstruction (MDR).
2. MDR will coordinate with the municipal or city Commission for Temporary Takeover and Use of Property. MDR and the municipal or city Commission will confirm that the house is vacant and inhabitable, and that conditions of security exist. In no case will the municipal or city Commission be authorized to assign a vacant home to another individual after notification from MDR is received. If the housing has been assigned but is not yet occupied, the housing assignment will be annulled.
3. MDR will inform ODPR of the housing status.
4. ODPR will then issue a "CONFIRMATION ON ARRANGEMENTS FOR RETURN" to the potential returnee, with copies to: the Ministry of Interior (which will forward the information to the local police station), the Working Group members, and the municipal authorities.
5. ODPR will agree with the potential returnee on the modalities/logistics of return.
6. ODPR, assisted by UNTAES and UNHCR, will organize the return. Upon return, the individual will have legal status as a "returnee".

TRANSITIONAL MEASURES: Until the Joint Working Group agrees that ODPR and other relevant Croatian authorities are in a position to undertake all of the mechanisms described above for returns into the Region, the following procedures will apply:

1. ODPR will verify ownership of the home in the Region, and will forward the requests for return daily to UNTAES.
2. UNTAES (DP Task Force) will confirm that the house is vacant and inhabitable, and that conditions of security exist. In no case will an individual other than the legal owner be allowed to occupy the house after UNTAES has confirmed that the house is vacant.
3. UNTAES will inform ODPR of the housing status, and notify TPF and the municipal or city authorities.
4. ODPR will issue a "CONFIRMATION ON ARRANGEMENTS FOR RETURN" to the potential returnee.
5. ODPR will agree with the potential returnee on the modalities/logistics of return.
6. ODPR, assisted by UNTAES and UNHCR, will organize the return. Upon return, the individual will have legal status as a "returnee".

In principle, the CONFIRMATION ON ARRANGEMENTS FOR RETURN will be issued within 15 calendar days of registration with ODPR, or ODPR notification of UNTAES (for returns into the Region). The return should take place as soon as possible thereafter. Where the CONFIRMATION cannot be issued within this timeframe, the Working Group will be informed so that alternative measures can be considered. When a home is vacated under these mechanisms, the responsible party (Government of Croatia or UNTAES) will ensure that the house is not then occupied by an individual other than the legal owner.

HOMES DAMAGED OR DESTROYED BY WAR*

*as defined by the Law on War Damage Assessments (narodne novine #61/91)

1. ODPR will forward the requests for return daily to the Ministry of Development and Reconstruction (MDR).
2. MDR will coordinate the work of the municipal or city Commission for Temporary Takeover and Use of Property in order to determine the status of the house.
3. MDR in cooperation with the County Commission for the Assessment of War Damages will determine the degree of damage to the house (categories 1 - 6.)
4. On the basis of the feedback on the status of the property, the potential returnee will complete a request for reconstruction at the ODPR sub-office where they registered. ODPR will forward the request to the County Office for Reconstruction and to MDR which will further proceed according to the Law on Reconstruction (NN #24/96, 54/96, and 87/96). Cases whose resolution will make possible the return of a DP to a home currently occupied by a Croatian citizen displaced from his or her home shall be treated as priority 3 under article 6 of the Law on Reconstruction. For the purposes of reconstruction and return, all cases of "returnees" also shall be treated as priority 3 under Article 6 of the Law on Reconstruction.
5. After the contract on reconstruction is signed, MDR or ODPR will offer the individual temporary accommodation in the nearest location to the home of origin until full realization of the individual's right to reconstruction. Alternatively, accommodations can be arranged privately (i.e., with friends or relatives) without losing the right to reconstruction.
6. When the municipal or city Commission or ODPR secures temporary accommodations for the potential returnee, a certificate will be issued giving the potential returnee the right to reside in the temporary accommodation. A returnee in possession of such a certificate cannot be asked to leave the temporary accommodation, unless the Government of Croatia provides the returnee alternative accommodation, or his/her home is repaired. (Note: If upon receiving such a certificate the potential returnee declines the offered temporary accommodation, the potential returnee loses the right to remain in the current accommodation. However, the right to reconstruction remains.)
7. MDR or ODPR will inform the Working Group of the status of the case.
8. ODPR will then issue a "CONFIRMATION ON ARRANGEMENTS FOR RETURN" which will specify that the returnee is moving to temporary accommodations, with copies to: the Ministry of Interior (which will forward the information to the local police station), the Working Group members, and the municipal authorities.
9. ODPR will agree with the potential returnee on the modalities/logistics of the move.
10. ODPR, assisted by UNTAES and UNHCR, will organize the move. Upon the move to temporary accommodations, the individual will have legal status as a "returnee".

(NOTE: There may be cases where an individual who has a damaged home, by virtue of having another house or apartment in the Republic of Croatia which has not been damaged by war and which is appropriate for living (i.e. vacant and inhabitable) cannot claim the right of reconstruction, as per Article 5 of the above-referenced Law on Reconstruction. In these cases, the appropriate mechanism for the return to or sale/exchange of that habitable home shall apply.)

TRANSITIONAL MEASURES: ***Until the Joint Working Group agrees that ODPR and other relevant Croatian authorities are in a position to undertake all of the mechanisms described above for returns into the Region, the following procedures will apply:***

1. ODPR will verify ownership of the home in the Region, and will forward the requests for return daily to UNTAES.
2. UNTAES (DP Task Force) will determine the status of the house and inform the Working Group members.
3. UNTAES will facilitate inspection by MDR and the County Commission for the Assessment of War Damages which will determine the degree of damage to the house (categories 1 - 6) and further proceed according to the Law on Reconstruction.
4. After the contract on reconstruction is signed, MDR or ODPR, assisted by UNTAES and UNHCR, will offer the individual temporary accommodation in the nearest location to the home of origin until full realization of the individual's right to reconstruction. Alternatively, accommodations can be arranged privately (i.e., with friends or relatives) without losing the right to reconstruction.
5. ODPR will issue a "CONFIRMATION ON ARRANGEMENTS FOR RETURN" to the potential returnee.
6. ODPR will agree with the potential returnee on the modalities/logistics of return.
7. ODPR, assisted by UNTAES and UNHCR, will organize the return. Upon return, the individual will have legal status as a "returnee".

(NOTE: There may be cases where an individual who has a damaged home, by virtue of having another house or apartment in the Republic of Croatia which has not been damaged by war and which is appropriate for living (i.e. vacant and inhabitable) cannot claim the right of reconstruction, as per Article 5 of the above-referenced Law on Reconstruction. In these cases, the appropriate mechanism for the return to or sale/exchange of that habitable home shall apply.)

These moves will take place in the shortest time possible, following registration with ODPR. When a home is vacated under these mechanisms, the responsible party (Government of Croatia or UNTAES) will ensure that the house is not then occupied by an individual other than the legal owner.

HOMES WHICH ARE BEING USED TEMPORARILY

1. ODPR will forward the requests for return daily to the Ministry of Development and Reconstruction (MDR).
2. MDR will coordinate the work of the municipal or city Commission for Temporary Takeover and Use of Property in order to establish that the home is occupied. The Commission will determine whether the house is occupied under the provisions of the Law on Temporary Takeover and Administration of Specified Property (NN #73/95), or not according with the Law.
3. MDR will inform ODPR about the status of the home.
4. MDR, in cooperation with the municipal or city Commission, will offer one of the following solutions to the individual via ODPR or the regional sub-office:
- (a) A certificate which specifies the date after which the owner will be able to take possession of his property, or
- (b). A certificate which will put at the disposal of the potential returnee a corresponding (in size and quality) accommodation close to the place of permanent residence for the period until his property is available for use. The certificate will specify the date after which the corresponding accommodation will be available.
5. In cases where it is not possible to immediately implement the certificate described in the above point, MDR or ODPR will offer the individual temporary accommodation in the nearest location to the home of origin until the date specified on the certificate. Alternatively, accommodations for the above period also can be arranged privately (i.e., with friends or relatives) without losing the right to return.
6. When the municipal or city Commission or ODPR secures corresponding or temporary accommodations for the potential returnee, a certificate will be issued giving the potential returnee the right to reside in the accommodation. A returnee in possession of such a certificate cannot be asked to leave the corresponding or temporary accommodation, unless the Government of Croatia provides the returnee alternative accommodation [corresponding or temporary, as the case applies], or he/she returns home. (Note: If upon receiving such a certificate the potential returnee declines the offered temporary or corresponding accommodation, the potential returnee loses the right to remain in the current accommodation. However, the right to return remains.)
7. MDR or ODPR will inform the Working Group of the status of the case.
8. ODPR will then issue a "CONFIRMATION ON ARRANGEMENTS FOR RETURN" which will specify that the returnee is moving to corresponding or temporary accommodations, with copies to: the Ministry of Interior (which will forward the information to the local police station), the Working Group members, and the municipal authorities.
9. ODPR will agree with the potential returnee on the modalities/logistics of the move.
10. ODPR, assisted by UNTAES and UNHCR, will organize the move. Upon the move to the temporary or corresponding accommodations, the individual will have legal status as a "returnee".

These moves will take place in the shortest time possible, following registration with ODPR. When a home is vacated under these mechanisms, the responsible party (Government of Croatia or UNTAES) will ensure that the house is not then occupied by an individual other than the legal owner.

GENERAL TRANSITIONAL MEASURES

1. For all cases of Croatian citizens, registered with ODPR, who wish to return but who are not covered by the above mechanisms, temporary accommodation will be offered by the Government of Croatia. The Working Group will resolve these on a case-by-case basis or develop other mechanisms as necessary consistent with the Guiding Principles.

2. The Working Group welcomes the suggestion to create an Agency for Mediation in the Traffic of Real Estate and a 'Land Bank' database of property and owners under the auspices of the Ministry for Reconstruction and Development. The Working Group notes that this Agency and Bank can play a crucial role in resolving cases falling outside the above described mechanisms for return through the arrangements of sale, exchange, and rental of property.

3. The Working Group will establish mechanisms for using the Agency and Land Bank, and will determine when the individuals using these mechanisms will move from the homes they currently occupy, after the Agency is established by the Government of the Republic of Croatia.

4. In cases where these mechanisms for return and legal remedies under Croatian law are exhausted, after a decision is made by the competent administrative and judicial bodies of the Republic of Croatia, a relevant procedure for relocating the individual to other accommodations will be undertaken by UNTAES in the Region. This transitional measure shall apply until such a time when the relevant Croatian authorities are in a position to undertake all of the mechanisms of return described in detail above.

In Osijek, 23 April 1997,
signing on behalf of the members of the Joint Working Group:

Mr. Stjepan Sterc,
Government of the Republic of Croatia

Mr. Gerard Fischer,
UNTAES

Mr. Eduardo Arboleda
UNHCR

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/342
29 April 1997

ORIGINAL: ENGLISH

LETTER DATED 26 APRIL 1997 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Further to the previous letters addressed by the Government of the Sudan to the President of the Security Council (S/1995/522, S/1995/569, S/1996/358, S/1996/1007, S/1997/2, S/1997/11 and S/1997/271) and with reference to the letter sent by the Permanent Representative of Eritrea on 11 April 1997 (S/1997/309). I have the honour to transmit to you a cable message dated 25 April 1997 from His Excellency Ali Osman M. Taha, Minister for External Relations of the Republic of the Sudan, which refers to a public statement made by the Head of the Eritrean regime, Assias Afwerki, on Thursday, 24 April 1997, in Asmara (see annex). In his statement, the Head of the Eritrean regime made a public confession that Eritrean troops were fighting alongside the Sudanese rebels in eastern Sudan. He went on to state that the destruction of the Government of the Sudan was a priority for Eritrea and that "this can be done only by force".

These statements confirm the repeated notes sent to the Security Council concerning the Eritrean aggression against the Sudanese people and against the territorial integrity of the Sudan. The threat posed by the Eritrean regime's policies is not only targeting the Sudan but also endangers the peace and security of the region and the continent as a whole.

I should be grateful if you would bring the contents of the present letter and its annex to the attention of the members of the Security Council.

(Signed) Hamid ELTINAY
Chargé d'affaires a.i.

97-11356 (E) 290497 290497

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Annex

Letter dated 25 April 1997 from the Minister for Foreign Affairs of the Sudan addressed to the President of the Security Council

[Original: Arabic]

On a number of previous occasions I have had the honour to draw your attention to the excesses of the Eritrean regime, and the flagrant acts of aggression it continues to carry out against my country, threatening its security and stability, and bringing my country and the African continent to the brink of catastrophe. I have also conveyed the fact that such disgraceful practices, repeatedly carried out by Eritrea, run counter to all international and regional norms, which reject the use or threat of use of force, and flout in the most blatant and dangerous manner the principles of good-neighbourliness and respect for the sovereignty and regional integrity of States. The response of the Eritrean regime has consistently been to maintain its hostile policies and continue its ventures without inhibition or restraint.

On this occasion, I find myself compelled to inform you that the Head of the Eritrean regime has reached new heights in showing disdain for and defiance of international and regional opinion. It was reported by Agence France-Presse that at a conference held in Asmara on Thursday, 24 April 1997 he openly and unambiguously declared that Eritrean forces were fighting alongside Sudanese rebels. Further, he stated that one of his Government's main aims was to overthrow the Sudanese Government by force. At the same time he admitted that Eritrean forces had suffered losses in their war against the Sudanese army.

The admissions made by the Eritrean regime regarding the war that it is waging against the Sudan, which this time came from the Head of the Eritrean regime himself, clearly demonstrate the dangers of the path chosen by Eritrea, and expose the hostile designs of its regime, which threaten peace and security in the African continent. Such admissions, which we have referred to in our previous letters to you, also confirm the reality of the aggression unleashed against the Sudan and its territory. Coupled with the statements made by Eritrean and Ugandan prisoners of war, they clearly reflect the magnitude of foreign designs on the Sudan.

In bringing the admissions made by the Head of the Eritrean regime to your attention, I should also like to point out that the continuation of these acts of aggression will push the region and the continent closer to the furnace of total confrontation. While the Sudan reserves the right to resist this aggression, it appeals to the international and regional communities to put a halt to this behaviour and to such criminal aggression.

I should be grateful if you would have this letter circulated to all Member States.

(Signed) Ali Osman Mohamed TAHA
Minister for Foreign Affairs

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/343
29 April 1997

ORIGINAL: ENGLISH

LETTER DATED 29 APRIL 1997 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the elections held on 13 and 14 April 1997 in the region of Eastern Slavonia, Baranja and Western Sirmium placed under the transitional administration of the United Nations and to bring to your attention the following information, which was forwarded to me by the Transitional Administrator.

Local elections for 25 municipal councils and three city councils within the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) region were conducted simultaneously with elections throughout Croatia on 13 April. In addition to these local elections, regional elections were held for two county assemblies, and national elections were held for the Upper House of the Croatian Parliament. Owing to technical difficulties, particularly the late delivery of electoral materials, voting inside the region was extended to 14 April, and to 15 April in one polling location. Nearly 500 international observers were deployed throughout Croatia to observe the elections. Within the UNTAES region, over 150 UNTAES observers were deployed to all polling stations as static monitors. In addition, 30 observer teams from the Organization for Security and Cooperation in Europe, as well as observers from the Council of Europe and representatives of the diplomatic community visited numerous polling stations during the elections. The Transitional Administrator has informed me that no intimidation, violence or electoral improprieties were observed or reported before, during or after the elections.

The framework for the elections in the region was defined by the Joint Implementation Committee (JIC) on Elections, which met on a regular basis from early October 1996. In accordance with the Basic Agreement and under the agreed framework, voter eligibility was defined to include the following four categories of persons for whom separate lists were prepared:

(a) Residents of the region who were listed in the 1991 census and who stayed in the region and collected their pre-printed Croatian documents (domovnica and identity card). A total of 69,158 persons in the region were registered under this category;

(b) Former residents of the region, mainly Croats, who left after the 1991 census and registered as displaced persons with the Office for Displaced Persons and Refugees. A total of 61,326 persons outside the region were registered under this category;

(c) Residents of the region who entered the region after the 1991 census, who applied for documents, filled out registration forms and chose to vote for candidates to be elected to municipal or city councils within the region. A total of 10,086 persons in the region were registered under this category;

(d) Residents of the region who entered the region after the 1991 census, applied for documents, filled out registration forms, but chose to vote in absentia for candidates to be elected to national, regional and local bodies in other parts of Croatia. A total of 1,692 persons in the region were registered under this category.

Persons currently living in the region voted at 193 polling stations in the region, including 30 locations for absentee voting for authorities outside the region. The displaced persons elsewhere in Croatia cast absentee ballots at 645 polling stations in 75 polling locations.

The final number of voters inside the region was over 71,000, of whom fewer than 1,000 (out of the registered 1,692 persons) voted in absentia for the authorities to be elected in their former places of residence. This included a significant number of residents of the region whose names did not appear on the list of voters but who were able to cast their votes owing to the special measures adopted by the Transitional Administrator on election day. These special measures, which enabled all residents of the region with Croatian identity cards to cast a vote, were assessed positively by all international observers. UNTAES and the Croatian Government will identify the total number of voters who fall into this category by verifying the number of voters recorded on the supplementary list of voters constructed on the two election days. Over 56,000 persons cast their votes in absentia elsewhere in Croatia for the local authorities of the region.

The 28 Local Electoral Commissions (LECs), which were appointed by the JIC on Elections on a multi-ethnic basis, were the competent bodies that conducted the elections in the region. Their main functions included receiving candidate nominations, selecting polling sites, appointing polling station committees, amalgamating polling results and announcing final results for their respective municipalities or cities. The LECs were assisted in their work by UNTAES electoral officers who had been appointed as electoral advisers. As the formal and final appointment of the LEC members was considerably delayed, most of the preparatory work was carried out by the electoral officers.

An electoral code of conduct was developed by the JIC on Elections, which laid out fundamental principles and rules to be followed by all participants in the electoral process. On the recommendation of the JIC on Elections, the Transitional Administrator promulgated the code of conduct on the occasion of the formal announcement of the elections in the region on 11 March 1997. The JIC on Elections also appointed the Electoral Appeals Commission (EAC), composed of Serb and Croat jurists and chaired by an UNTAES-appointed international

judge. The Media Experts commission (MEC) was appointed with a similar composition to monitor, inter alia, equitable access for all registered political parties and candidates.

As required by the code of conduct, both Commissions have presented their final reports on the conduct of the elections. EAC reported that most complaints received were either corrected by the special measures adopted by the Transitional Administrator on election day or dismissed after due consideration. MEC reported that several infractions of the code of conduct were corrected by informal intervention. Both Commissions concluded that the free and fair character of the elections was not affected by these issues. Their final reports will be considered by the JIC on Elections on 30 April.

Preliminary results of the elections prepared by the LECs were announced by UNTAES on 19 April (see annex). The elections held in the region were subsequently certified by the Transitional Administrator on 22 April 1997. Official and final results will be formally reported by the LECs to the JIC on Elections on Wednesday, 30 April. A 48-hour period for political parties to appeal the results will come into effect immediately after the final announcement. Following these procedures, and provided that the results of the elections are finalized, the Transitional Administrator will be in a position to certify the final results, in accordance with the UNTAES mandate.

The Transitional Administrator has indicated to me that the successful holding of elections in the UNTAES-administered region has been an essential step for further progress in the peaceful reintegration of the region. It marks an important milestone for the legitimate representation of the local population in the Croatian constitutional and legal system. It also opens the way for the two-way return of all displaced persons in Croatia. In this regard, rapid progress has been made in this area with the adoption by the Croatian Government, on 24 April 1997, of the Agreed Procedures on Return.

I should be grateful if you would bring the above to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

Annex

Preliminary election results from the party list in the region administered by the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium[a]

1. House of Counties, Croatian Parliament[b]

HDZ	41
HSS	9
HSLS	7
SDP	4
IDS	2

2. Osijek-Baranja County

County Assembly		Beli Manistir City Council	
HDZ	25	SDSS	15
HSLS	9	HDZ	11
HSLS/SDP/HSP	3		
SDSS	6		
HSS	2		

3. Vukovar-Sirmium County

County Assembly		Vukovar City Council		Ilok City Council	
HDZ	24	HDZ	12	HDZ	20
SDSS	10	SDSS	12	SDSS	6
HSS/HSLS	4	IND	2		
IND	2				

4. Municipal councils

Osijek-Baranja County

Antunovac		Draz		Knezevi Vinogradi	
HDZ	12	HDZ	12	HDZ	7
HSP	2	SDSS	2	SDSS	4
IND	2	HSS	2	IND	5

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Bilje		Erdut		Petlovac	
HDZ	10	HDZ	5	HDZ	12
SDSS	3	SDSS	11	SDSS	3
IND	3			HSS	1
Ceminac		**Ernestinovo**		**Popovac**	
HDZ	11	HDZ	12	HDZ	9
SDSS	4	SDSS	2	SDSS	7
HSS	1	HSS/HSLS	2		
Darda		**Jagodnjak**		**Sodolovci**	
HDZ	5	HDZ	0	SDSS	16
SDSS	10	SDSS	16		
HSS	1				
Tenja					
HDZ	3				
SDSS	12				
HSS	1				

Vukovar-Sirmium County

Bogdanovci		Negoslavci		Tordinci	
HDZ	10	SDSS	16	HSZ	13
IND	6			HSS	3
				SDSS	2
				HSP	1
				IND	1
Borovo		**Nijemci**		**Tovarnik**	
SDSS	16	HDZ	12	HDZ	11
		SDSS	3	SDSS	5
		HNS/HSS/ HSLS	1		
Lovas		**Stari Jankovci**		**Trpinja**	
HDZ	11	HDZ	10	SDSS	16
SDSS	5	SDSS	6		

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Markusica		Mirkovci		Tompojevci	
SDSS	16	HDZ	2	HDZ	11
		SDSS	14	SDSS	5

Note: The following political party abbreviations are used in this table:

HDZ - Croatian Democratic Union
HNS - Croatian People's Party
HSLS - Croatian Social Liberal Party
HSP - Croatian Party of the Right
HSS - Croatian Peasants Party
IDS - Istrian Democratic Forum
IND - List of independent candidates
SDP - Social Democratic Party
SDSS - Independent Democratic Serb Party

[a] The figures above represent 75 per cent of the total seats which will be allocated according to party lists (seats allocated by proportional representation). The remaining 25 per cent of the seats will be allocated to elected candidates from individual constituencies (seats to be allocated by majority vote).

[b] Five seats to be named by the President of Croatia, of which two must be Serbs.

UNITED NATIONS **S**

Security Council

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GENERAL

S/1997/344
30 April 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 30 APRIL 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that at 8 a.m. on 19 March 1997 two American frigates (33 and 40) were seen conducting manoeuvres 3 miles south of the port of El Bakr. The same day, at 10.30 a.m., a United States helicopter overflew Iraqi vessels which were close to buoy No. 5. Also on the same day, at 11.30 a.m., a United States helicopter overflew an Iraqi fishing boat, the "Diyali", which was also sailing close to that buoy.

I should be grateful if you would intervene with the United States of America with a view to halting these repeated acts of provocation which not only contravene the principles of the Charter of the United Nations and the rules of international law but also constitute a flagrant violation of the sovereignty of a State Member of the United Nations.

I also wish to affirm the legally established right of the Republic of Iraq, in accordance with the principles of international responsibility, to seek compensation for the damage caused by these violations.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

97-11500 (E) 300497 300497

UNITED NATIONS **A S**

General Assembly
Security Council

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GENERAL

A/52/130
S/1997/345
30 April 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Items 10, 38, 80 and 81 of the preliminary list*
REPORT OF THE SECRETARY-GENERAL ON THE WORK OF THE ORGANIZATION
SUPPORT BY THE UNITED NATIONS SYSTEM OF THE EFFORTS OF GOVERNMENTS TO PROMOTE AND CONSOLIDATE NEW OR RESTORED DEMOCRACIES
CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fifty-second year

Letter dated 30 April 1997 from the Permanent Representatives of Azerbaijan and Georgia to the United Nations addressed to the Secretary-General

We have the honour to submit herewith the text of resolution 1119 (1997) on conflicts in Transcaucasia adopted by the Parliamentary Assembly of the Council of Europe on 22 April 1997.

We should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under items 10, 38, 80 and 81 of the preliminary list, and of the Security Council.

(Signed) Eldar KOULIEV
Ambassador
Permanent Representative of
Azerbaijan to the United Nations

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative of
Georgia to the United Nations

* A/52/50.

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ANNEX

[Original: English, French and Russian]

Resolution 1119 (1997) on conflicts in Transcaucasia adopted by the Parliamentary Assembly of the Council of Europe on 22 April 1997

1. The Assembly considers that the holding of the ceasefires in force in the Transcaucasian conflicts, particularly in Abkhazia and Nagorny Karabakh since May 1994, should help to bring about political stabilization in the zones of tension.

2. Following the various hearings held by its Committee on Relations with European Non-Member Countries, it hopes that rapid, decisive progress towards a political settlement of these conflicts will be made.

3. The three Transcaucasian countries - Armenia, Azerbaijan and Georgia - all hold special guest status and have applied for full membership of the Council of Europe. The Assembly considers that a genuine political will by all the parties to settle these conflicts would help to speed up the accession procedures.

4. The Assembly appeals to all parties directly or indirectly involved in these conflicts to participate constructively in the mediation work conducted on the ground, particularly by the United Nations, the Commonwealth of Independent States (CIS) and the Organization for Security and Cooperation in Europe (OSCE).

5. Even though these two conflicts are different in nature, the Assembly stresses that their political settlement must be negotiated by all parties involved, drawing in particular on the following principles, which are based on the 1975 Helsinki Final Act and the 1990 Charter of Paris:

(i) Inviolability of borders;

(ii) Guaranteed security for all peoples in the areas concerned, particularly through multinational peacekeeping forces;

(iii) Extensive autonomy status for Abkhazia and Nagorny Karabakh to be negotiated by all the parties concerned;

(iv) Right of return of refugees and displaced persons and their reintegration while respecting their human rights.

6. The Assembly considers that, in the Transcaucasian countries, the Council of Europe should make a genuine contribution to establishing a State based on the rule of law and pluralist democracy, the protection of human rights and the creation of a social market economy.

(a) In connection with Abkhazia:

7. The Assembly is interested to note certain signs of rapprochement of the positions of Tbilisi and Sukhumi and hopes that a negotiated political settlement will soon be reached on the basis of the above-mentioned principles.

8. It hopes that the efforts of the parties concerned and also of the United Nations, OSCE and the Russian Federation will soon lead to an institutional balance acceptable to both Tbilisi and Sukhumi, so that the refugees can return under optimum security conditions and the populations of the region can resume their peaceful and prosperous living conditions.

(b) With regard to Nagorny Karabakh:

9. The Assembly welcomes the continued dialogue between Armenian and Azeri parliamentarians, particularly as part of the Seminar on the Conflicts in Transcaucasia organized by its Committee on Relations with European Non-Member Countries in Strasbourg, France, on 26 January 1997, and welcomes in this connection the resumption of the activities of the OSCE Minsk Group on Nagorny Karabakh, which it encourages to continue negotiations with a view to securing an early settlement of the conflict.

10. It appeals to all parties to the conflict to intensify direct negotiations with a view to achieving a political settlement to the conflict guaranteeing the restitution of occupied territories and the return of refugees and displaced persons, satisfactory alternative status as well as security for Nagorny Karabakh.

11. Finally, it expresses the wish that in the long run the three Transcaucasian countries - Armenia, Azerbaijan and Georgia - will envisage creating a community of Transcaucasian States and the setting up of a joint parliamentary assembly.

UNITED NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/52/130*
S/1997/345*
9 May 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Items 10, 38, 81 and 82 of the
preliminary list**
REPORT OF THE SECRETARY-GENERAL ON
THE WORK OF THE ORGANIZATION
SUPPORT BY THE UNITED NATIONS SYSTEM
OF THE EFFORTS OF GOVERNMENTS TO
PROMOTE AND CONSOLIDATE NEW OR
RESTORED DEMOCRACIES
MAINTENANCE OF INTERNATIONAL SECURITY
REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING OF
INTERNATIONAL SECURITY

SECURITY COUNCIL
Fifty-second year

Letter dated 30 April 1997 from the Permanent Representatives of Azerbaijan and Georgia to the United Nations addressed to the Secretary-General

We have the honour to submit herewith the text of resolution 1119 (1997) on conflicts in Transcaucasia adopted by the Parliamentary Assembly of the Council of Europe on 22 April 1997.

We should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under items 10, 38, 81 and 82 of the preliminary list, and of the Security Council.

(Signed) Eldar KOULIEV
Ambassador
Permanent Representative of
Azerbaijan to the United Nations

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative of
Georgia to the United Nations

* Reissued for technical reasons.

** A/52/50.

ANNEX

[Original: English, French and Russian]

Resolution 1119 (1997) on conflicts in Transcaucasia adopted by the Parliamentary Assembly of the Council of Europe on 22 April 1997

1. The Assembly considers that the holding of the ceasefires in force in the Transcaucasian conflicts, particularly in Abkhazia and Nagorny Karabakh since May 1994, should help to bring about political stabilization in the zones of tension.

2. Following the various hearings held by its Committee on Relations with European Non-Member Countries, it hopes that rapid, decisive progress towards a political settlement of these conflicts will be made.

3. The three Transcaucasian countries - Armenia, Azerbaijan and Georgia - all hold special guest status and have applied for full membership of the Council of Europe. The Assembly considers that a genuine political will by all the parties to settle these conflicts would help to speed up the accession procedures.

4. The Assembly appeals to all parties directly or indirectly involved in these conflicts to participate constructively in the mediation work conducted on the ground, particularly by the United Nations, the Commonwealth of Independent States (CIS) and the Organization for Security and Cooperation in Europe (OSCE).

5. Even though these two conflicts are different in nature, the Assembly stresses that their political settlement must be negotiated by all parties involved, drawing in particular on the following principles, which are based on the 1975 Helsinki Final Act and the 1990 Charter of Paris:

(i) Inviolability of borders;

(ii) Guaranteed security for all peoples in the areas concerned, particularly through multinational peacekeeping forces;

(iii) Extensive autonomy status for Abkhazia and Nagorny Karabakh to be negotiated by all the parties concerned;

(iv) Right of return of refugees and displaced persons and their reintegration while respecting their human rights.

6. The Assembly considers that, in the Transcaucasian countries, the Council of Europe should make a genuine contribution to establishing a State based on the rule of law and pluralist democracy, the protection of human rights and the creation of a social market economy.

(a) In connection with Abkhazia:

7. The Assembly is interested to note certain signs of rapprochement of the positions of Tbilisi and Sukhumi and hopes that a negotiated political settlement will soon be reached on the basis of the above-mentioned principles.

8. It hopes that the efforts of the parties concerned and also of the United Nations, OSCE and the Russian Federation will soon lead to an institutional balance acceptable to both Tbilisi and Sukhumi, so that the refugees can return under optimum security conditions and the populations of the region can resume their peaceful and prosperous living conditions.

(b) With regard to Nagorny Karabakh:

9. The Assembly welcomes the continued dialogue between Armenian and Azeri parliamentarians, particularly as part of the Seminar on the Conflicts in Transcaucasia organized by its Committee on Relations with European Non-Member Countries in Strasbourg, France, on 26 January 1997, and welcomes in this connection the resumption of the activities of the OSCE Minsk Group on Nagorny Karabakh, which it encourages to continue negotiations with a view to securing an early settlement of the conflict.

10. It appeals to all parties to the conflict to intensify direct negotiations with a view to achieving a political settlement to the conflict guaranteeing the restitution of occupied territories and the return of refugees and displaced persons, satisfactory alternative status as well as security for Nagorny Karabakh.

11. Finally, it expresses the wish that in the long run the three Transcaucasian countries - Armenia, Azerbaijan and Georgia - will envisage creating a community of Transcaucasian States and the setting up of a joint parliamentary assembly.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/346
1 May 1997

ORIGINAL: ENGLISH

LETTER DATED 29 APRIL 1997 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to transmit a copy of a note verbale with an attachment, dated 17 March 1997, from the Interests Section of the Islamic Republic of Iran in Washington, D.C., to the Embassy of Pakistan, to be forwarded to the Department of State of the United States of America on the violation of territory of the Islamic Republic of Iran by the military forces of the United States in the Persian Gulf.

It would be highly appreciated if this letter and its annex were circulated as a document of the Security Council.

(Signed) Majid TAKHT-RAVANCHI
Ambassador
Chargé d'affaires a.i.

97-11606 (E) 010597

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Annex

Note verbale dated 17 March 1997 from the Interests Section of the Islamic Republic of Iran in Washington, D.C., addressed to the Embassy of Pakistan in Washington, D.C.

The Interests Section of the Islamic Republic of Iran in Washington, D.C., presents its compliments to the Embassy of Pakistan and has the honour to convey the attached message, in two copies, the original text and an unofficial translation, received from the Ministry of Foreign Affairs of the Islamic Republic of Iran. It is respectfully requested that the original text be transmitted to the United States Department of State and that our office be informed of its response.

Appendix

According to information received from officials of the Government of the Islamic Republic of Iran, United States warships and aircraft positioned in the Persian Gulf and the Sea of Oman created a nuisance for Iranian ships on the following dates and times:

(a) On 19 December 1996 at 1339 hours, a United States warship at the position of N2827 and E5006 locked radar over the Iranian battleship Khadang at the position of N2836 and E4955;

(b) On 19 December 1996 at 1350 hours, at the direction of 60 degrees north and a distance of seven miles from the Frouzan oil platform, a United States warship locked radar over the Iranian battleship Khadang.

The Government of the Islamic Republic of Iran protests these illegal activities by the Government of the United States and calls for an end to such actions.

UNITED
NATIONS

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GENERAL

S/1997/347
1 May 1997

ORIGINAL: ENGLISH

LETTER DATED 1 MAY 1997 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to resolution 1076 (1996) on the situation in Afghanistan, which was adopted by the Security Council on 22 October 1996, and to my report of 16 March 1997 (S/1997/240). In paragraph 24 of that report I expressed my belief that the United Nations and its Member States had to increase efforts to address the Afghan question before the situation deteriorated even further. I underlined that it was necessary for all of us to coordinate our efforts so as to increase international pressure on the Afghan parties to solve the conflict in a peaceful way. To that end, I suggested that I might convene another meeting of concerned countries, using the formula that had been adopted for the meeting held in New York on 18 November 1996.

At my request, the Under-Secretary-General for Political Affairs, Mr. Kieran Prendergast, presided over such an informal consultative meeting in New York on 16 April 1997. Representatives of China, Egypt, France, Germany, India, the Islamic Republic of Iran, Italy, Japan, Kazakstan, Kyrgyzstan, the Netherlands, Pakistan, the Russian Federation, Saudi Arabia, Sweden, Tajikistan, Turkey, Turkmenistan, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uzbekistan and the Organization of the Islamic Conference participated.

The purpose of the meeting was to reassess the situation following recent political and military developments and to discuss how best to promote a negotiated settlement of the conflict and reinforce the United Nations peacemaking efforts.

The meeting demonstrated that consensus continues to exist on the grave dangers of continued armed conflict for the region and on the central role of the United Nations in coordinating efforts to achieve a peaceful solution. The participants uniformly appreciated the efforts of Mr. Norbert Holl and of the United Nations Special Mission to Afghanistan to promote agreement on a ceasefire and negotiations between the factions. While recognizing the need for all concerned countries to be involved in the search for peace, they also stressed that such initiatives should be coordinated with the United Nations.

All participants agreed that the territorial integrity and unity of Afghanistan must be preserved. They supported the view that the only solution to the conflict remains a national accord based on recognition of the legitimate interests and rights of all the Afghan people. There was consensus that all forms of foreign interference must cease, although, as usual, there were differences on how to achieve this. The flow of arms into Afghanistan remained a preoccupation and a number of countries supported an arms embargo, referring to the action taken in that connection by the European Union; some called for the Security Council to take similar action. Others, however, expressed doubts about the practical effectiveness of such a measure and whether it could be applied in an even-handed manner.

There continued to be widespread support for an international conference in due course to support the results of negotiations. A number of concrete proposals were put forward for an intra-Afghan dialogue under the auspices of the United Nations to be held outside Afghanistan, possibly with Member States as observers. Several participants repeated their offer to host negotiations and/or a conference. Many favoured the expansion of United Nations consultations beyond the leadership of the factions to include broadly representative Afghan communities and personalities. Some particularly supported the intensification of the contacts of Mr. Holl and the Special Mission with concerned States.

A number of delegations favoured the increased involvement of the Security Council in the issue. In the meantime, many expressed the view that the meeting mechanism which I had initiated in November 1996, of which this was the second instance, was a useful international framework which could meet more frequently, even every two months.

I should note the expressions of several of the participants on the desirability of a more spontaneous exchange of views at these meetings, as well as the interest of some in giving the deliberations a sharper focus. I am reflecting on how we might address those concerns together.

All participants voiced their distress at the continued plight of the Afghan people, with special attention drawn to women and girls. Several emphasized the connection between a political settlement, rehabilitation, reconstruction and peace-building. I look forward to exploring further how we can best harmonize and coordinate policies in the future for the maximum benefit of the Afghan people.

I should be grateful, Mr. President, if you would convey this information to the members of the Security Council.

(Signed) Kofi A. ANNAN

UNITED NATIONS

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Security Council

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A/51/886*
S/1997/347*
2 May 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda item 39
THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY

SECURITY COUNCIL
Fifty-second year

Identical letters dated 1 May 1997 from the Secretary-General addressed to the President of the General Assembly and to the President of the Security Council

I have the honour to refer to General Assembly resolution 51/195 B of 17 December 1996 on the situation in Afghanistan and to my report of 16 March 1997 (A/51/838-S/1997/240 and Corr.1), issued pursuant to that resolution. In paragraph 24 of that report I expressed my belief that the United Nations and its Member States had to increase efforts to address the Afghan question before the situation deteriorated even further. I underlined that it was necessary for all of us to coordinate our efforts so as to increase international pressure on the Afghan parties to solve the conflict in a peaceful way. To that end, I suggested that I might convene another meeting of concerned countries, using the formula that had been adopted for the meeting held in New York on 18 November 1996.

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* Reissued for technical reasons.

97-11690 (E) 020597

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The purpose of the meeting was to reassess the situation following recent political and military developments and to discuss how best to promote a negotiated settlement of the conflict and reinforce the United Nations peacemaking efforts.

The meeting demonstrated that consensus continues to exist on the grave dangers of continued armed conflict for the region and on the central role of the United Nations in coordinating efforts to achieve a peaceful solution. The participants uniformly appreciated the efforts of Mr. Norbert Holl and of the United Nations Special Mission to Afghanistan to promote agreement on a ceasefire and negotiations between the factions. While recognizing the need for all concerned countries to be involved in the search for peace, they also stressed that such initiatives should be coordinated with the United Nations.

All participants agreed that the territorial integrity and unity of Afghanistan must be preserved. They supported the view that the only solution to the conflict remains a national accord based on recognition of the legitimate interests and rights of all the Afghan people. There was consensus that all forms of foreign interference must cease, although, as usual, there were differences on how to achieve this. The flow of arms into Afghanistan remained a preoccupation and a number of countries supported an arms embargo, referring to the action taken in that connection by the European Union; some called for the Security Council to take similar action. Others, however, expressed doubts about the practical effectiveness of such a measure and whether it could be applied in an even-handed manner.

There continued to be widespread support for an international conference in due course to support the results of negotiations. A number of concrete proposals were put forward for an intra-Afghan dialogue under the auspices of the United Nations to be held outside Afghanistan, possibly with Member States as observers. Several participants repeated their offer to host negotiations and/or a conference. Many favoured the expansion of United Nations consultations beyond the leadership of the factions to include broadly representative Afghan communities and personalities. Some particularly supported the intensification of the contacts of Mr. Holl and the Special Mission with concerned States.

A number of delegations favoured the increased involvement of the Security Council in the issue. In the meantime, many expressed the view that the meeting mechanism which I had initiated in November 1996, of which this was the second instance, was a useful international framework which could meet more frequently, even every two months.

I should note the expressions of several of the participants on the desirability of a more spontaneous exchange of views at these meetings, as well as the interest of some in giving the deliberations a sharper focus. I am reflecting on how we might address those concerns together.

All participants voiced their distress at the continued plight of the Afghan people, with special attention drawn to women and girls. Several emphasized the connection between a political settlement, rehabilitation, reconstruction and peace-building. I look forward to exploring further how we

can best harmonize and coordinate policies in the future for the maximum benefit of the Afghan people.

I should be grateful if you would have the text of the present letter circulated as a document of the fifty-first session of the General Assembly, under agenda item 39, and of the Security Council.

(Signed) Kofi A. ANNAN

UNITED
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General Assembly
Security Council

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A/52/133
S/1997/348
5 May 1997
ENGLISH
ORIGINAL: FRENCH

GENERAL ASSEMBLY
Fifty-second session
Item 114 (b) of the preliminary list*
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

SECURITY COUNCIL
Fifty-second year

Letter dated 2 May 1997 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the elections in Croatia issued by the European Union on 30 April 1997.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under item 114 (b) of the preliminary list, and of the Security Council.

(Signed) N. H. BIEGMAN
Permanent Representative of the
Netherlands to the United Nations

* A/52/50.

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Annex

[Original: English and French]

Statement by the European Union on the elections in Croatia issued on 30 April 1997

The European Union has noted with satisfaction that local elections were held in Croatia on 13 April, and in particular that elections were held in Eastern Slavonia, Baranja and Western Sirmium on 13 and 14 April 1997, under the auspices of the United Nations Transitional Administration for Eastern Slavonia (UNTAES). It wishes to congratulate the Croatian authorities in this regard, as well as the Transitional Administrator, Mr. Klein, and the staff of UNTAES on having overcome organizational problems to see the elections through to a successful conclusion.

The high turnout at the polls shows that the local population in Eastern Slavonia has seized this chance of harmonious and mutually beneficial coexistence within Croatia. These local elections certainly form a firm basis for the peaceful reintegration of the region into Croatia. However, the European Union would point out that strict respect for human rights and for the rights of minorities throughout the country remains an essential prerequisite for the ultimate success of the reintegration process. The European Union will remain vigilant in this regard, as will the international community as a whole.

The European Union now calls on the parties to press ahead with the process of reintegration in a spirit of dialogue, openness, good faith and mutual understanding, in which endeavour they will be supported and supervised by the international community.

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S/1997/349
5 May 1997
ENGLISH
ORIGINAL: FRENCH

GENERAL ASSEMBLY
Fifty-second session
Item 114 (b) of the preliminary list*
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

SECURITY COUNCIL
Fifty-second year

Letter dated 2 May 1997 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement of the European Union on the occasion of the granting of autonomous trade preferences to the Federal Republic of Yugoslavia, issued on 30 April 1997.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under item 114 (b) of the preliminary list, and of the Security Council.

(Signed) N. H. BIEGMAN
Permanent Representative of the
Netherlands to the United Nations

* A/52/50.

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ANNEX

[Original: English and French]

Statement of the European Union on the occasion of the granting of autonomous trade preferences to the Federal Republic of Yugoslavia, issued on 30 April 1997

The Council has decided to extend autonomous trade preferences to the Federal Republic of Yugoslavia for the year 1997.

With this measure, the European Union is responding to developments in the Federal Republic of Yugoslavia. Although no formal dialogue between Government and opposition parties has yet started, representatives of both sides have participated in televised debates. The media scene is more diverse than before the November elections. The Serbian Government has removed a number of the most unwelcome elements from the second draft of its media law and has undertaken to produce a new federal law relating to State television.

At the same time, the European Union has taken note of the difficulties encountered by the economy of the Federal Republic of Yugoslavia. Continued economic decline in the Federal Republic of Yugoslavia affects in particular the population and could therefore also undermine stability across the region.

The decision to extend autonomous trade preferences has been taken against the background of the need to promote economic revival and to reinforce a trend towards democratization, and has been supported by the Zajedno opposition. This is the only basis on which the Federal Republic of Yugoslavia can hope to build internal stability and a productive relationship with the European Union. It is clear that there is room for improvement on both scores.

The European Union, therefore, expects the full and speedy implementation of the Gonzalez report. This includes acceptance of the facilitation by the Organization for Security and Cooperation in Europe of dialogue between Government and opposition and the start of a dialogue, a further improvement of the draft media law as well as reform of the electoral law and independent operation of the judicial system. In the absence of progress by the Federal Republic of Yugoslavia towards meeting these criteria, the decision on granting autonomous trade preferences will be reviewed.

In addition, the European Union expects from Belgrade substantial progress on the issue of Kosovo, a continued positive attitude towards Eastern Slavonia and continued implementation of the General Framework Agreement for Peace. This includes the relations of the Federal Republic of Yugoslavia with the Republika Srpska.

The Council today adopted conclusions on the application of conditionality for relations with the countries of the region. Further development of relations with the Federal Republic of Yugoslavia will be based on these conclusions.

UNITED
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General Assembly
Security Council

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A/51/888
S/1997/350
5 May 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda item 58
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 2 May 1997 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 1 May 1997, addressed to you by His Excellency Mr. Osman Ertuğ, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the fifty-first session of the General Assembly, under agenda item 58, and of the Security Council.

(Signed) Hüseyin E. ÇELEM
Ambassador
Permanent Representative

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ANNEX

Letter dated 1 May 1997 from Mr. Osman Ertuğ
addressed to the Secretary-General

Upon instructions from my Government I have the honour to respond to the letter dated 17 April 1997 addressed to you by the Greek Cypriot representative at the United Nations, which was circulated as document A/51/879-S/1997/322 of 21 April 1997.

The said letter repeats the well-known allegations of the Greek Cypriot side regarding "violations of the airspace of the Republic of Cyprus and of the flight information region of Nicosia ...". I would like to reiterate emphatically that these allegations stem from the unfounded claim of the Greek Cypriot side to be the sole sovereign authority in the island and over its airspace, whereas it has no jurisdiction, control or authority whatsoever over the national territory, airspace or flight information region of the Turkish Republic of Northern Cyprus.

In this connection, I would also like to reiterate that flights by Turkish aircraft within the airspace and flight information region of the Turkish Republic of Northern Cyprus is a matter that concerns the Turkish Republic of Northern Cyprus and Turkey as two sovereign independent States which recognize each other. Any attempted interference with this airspace or flight information region is null and void and serves no other purpose than further raising tension in the island, which is already high as a result of the recent purchase by the Greek Cypriot side of the sophisticated S-300 missile system, as well as its overall militarization activity, in defiance of Security Council resolution 1092 (1996).

Indeed, with the speedy implementation of the so-called "joint defence doctrine", south Cyprus is being converted into a military base for Greece. While the construction of air and naval bases in south Cyprus for use by the Greek armed forces continues, the joint Greek-Greek Cypriot front persists in further raising tension in the island by conducting provocative war games in and around south Cyprus. In this context, the Greek Cypriot administration and Greece are preparing to stage joint military exercises codenamed "Toxotis" in early May to be followed by further military manoeuvres codenamed "Vergina".

The level of joint decision-making and action between the two, both at the military and political levels, is such that the Greek Cypriot side's official spokesman, Mr. Christofides, has made no secret of it by recently stating that "Cyprus cannot decide alone. Decisions are made only after joint consultations and evaluations with Greece" (Greek Cypriot daily Fileleftheros of 22 April 1997). I have no doubt that the international community, in awareness of its negative implications for a pacific resolution of the dispute, will draw the necessary conclusions from this all-encompassing integration between Greece and south Cyprus.

Particularly at a time when efforts are being made to resume direct negotiations between the leaders of the two sides in Cyprus under United Nations

auspices, the necessity of abstaining from this kind of behaviour and propaganda is obvious. It is high time that the Greek Cypriot side starts acting in accordance with its responsibilities in this respect.

I should be grateful if the text of the present letter could be circulated as a document of the fifty-first session of the General Assembly, under agenda item 58, and of the Security Council.

(Signed) Osman ERTUĞ
Representative
Turkish Republic of
Northern Cyprus